

## COURSE OUTLINE

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<b>COURSE NUMBER AND TITLE:</b>	LAWS 2201 C - Persons and Property
<b>TERM:</b>	Fall/Winter 2013
<b>LECTURES: Day &amp; Time:</b>	Thursday 6:05 - 8:55 p.m.
<b>Room:</b>	Please check Carleton Central for current room location
<b>INSTRUCTOR:</b>	David Dwoskin
<b>CONTACT: Office:</b>	613-696-1305 during business hours
<b>E-mail:</b>	<a href="mailto:ddwoskin@lmrlawyers.com">ddwoskin@lmrlawyers.com</a>

**COURSE OBJECTIVES & CONTENT**

This course will provide an introduction to private law in Canada specifically relating to the concept of legal entities, and the law of property as it relates to women, the disabled, the family, and, in addition examines the changing concept of the legal nature of property itself.

The law of Persons and Property will also examine how law works, what role courts, lawyers and judges play and why the law does what it does.

**REQUIRED TEXT**

Canadian Legal Studies Series - *Just between the Law and Us Vol 1: Persons and Property*, Neil Sargent, Logan Atkinson, eds. Toronto Captus Press, 2010 (Available from the Carleton University Book Store)

**SUGGESTED READING**

Dawson, Persons and Property in Private Law, 2<sup>nd</sup> edition 2013

Logan Atkinson and Neil Sargent, Private Law, Social Life. Toronto: LexisNexis, Butterworth, 2d. Edition, 2007;

(Available from the Carleton University Book Store)

**EVALUATION PROCEDURES AND DEADLINES:**

**40% - Midterm essay - October**

**40% - Final exam - December**

**20% - Class Participation** The mark awarded assesses participation in class discussion.

**Note: There will be no make-up assignments or “grade-booster” assignments under any circumstances.**

**All components must be completed in order to get a passing grade.**

Failure to complete all assignments and exams in the course will result in the student receiving a failing grade for the course. Deferrals will not be granted unless all assignments have been handed in.

Standing in a course is determined by the course instructor subject to approval of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Dean.

**LATE ASSIGNMENT:**

A late assignment will be marked down five percent for each day submitted after the due date (including weekend days). Extensions will be only given out in extreme circumstances, such as severe illness of the student or death of a family member. You must apply for an extension prior to the due date for the assignment. Appropriate documentation will be required to accompany requests for extensions. Computer failure, conflicts with work schedule or similar problems are not a valid excuse for failure to submit an assignment on time. **Students submitting late assignments must submit a hard copy of the assignment to the Department of Law drop-box and must email the instructor notifying him that the assignment has been left in the drop box.**

**APPEALING GRADES ON ASSIGNMENTS:**

Students who have questions about the grade they receive on an assignment or who wish to challenge the grade must make an appointment with the T.A. who marked the assignment within two weeks of receiving the marked assignment. The instructor will not entertain appeals of grades that have not first been discussed with the T.A.

**PLAGIARISM AND OTHER INSTRUCTIONAL OFFENCES:**

The University's policy concerning plagiarism and other instructional offences is outlined in the Undergraduate Calendar (see particularly regulation 14 - Instructional Offences). In particular,

students should note that a student commits an instructional offence if he or she “submits substantially the same piece of work to two or more courses without the prior written permission of the instructors from all courses involved. Minor modifications and amendments, such as changes or phraseology in an essay or paper, do not constitute a significant and acceptable reworking of an assignment”. Students should also note that it is an instructional offence to commit plagiarism, which is defined as “to use and pass off as one’s own idea or product work of another without expressly giving credit to another”.

### **POLICY AND PROCEDURE STATEMENT:**

The Department of Law’s Policy and Procedure Statement is distributed with, and forms part of, this course outline. The statement contains important information on topics such as the submission of assignments, due dates in course outlines, offenses, writing skills and use of language, prerequisites, course selection, responsibility for ensuring enrolment in a class, and review of grades, among other information. **Please read the Policy and Procedure Statement carefully.**

### **cuLearn**

cuLearn will be the primary method of electronic communication with students outside of class. It will be used to post announcements, to host email communications and electronic discussion boards. Students should make sure that they sign-on to cuLearn in the first week of classes and should check the cuLearn page for this course on a weekly basis.

### **A FEW ADDITIONAL GUIDELINES AND SUGGESTIONS:**

- Lectures in this course are designed to complement the texts, not just repeat the same material. As such, it is important to both attend lectures and complete the readings. Students who only complete the readings, but do not attend lectures will find it very difficult to do well in this course. Material covered in lectures will be tested in the exams.
- Lectures will be designed to accommodate questions and discussion in class. Feel free to ask questions during the course of lectures. Please remember, however, that questions, comments and discussion in class must remain respectful of the other members of the class.
- Students having difficulty with writing assignments should check-out: The Writing tutorial Service (Library 4<sup>th</sup> floor); Student Academic Success Centre (302 Tory).

**CLASS SCHEDULE AND READINGS - FALL TERM**

<b>Lecture No</b>	<b>Date</b>	<b>Lecture Topic and Readings</b>
1	Sep. 5	<b>Private Law and the Social World</b> Chapter 1
2	Sep.12	<b>Legal Individualism</b> Chapter 2
3	Sep. 19	<b>The Public/Private Distinction</b> Chapter 3
4	Sep. 26	<b>Legal Personality</b> Chapter 4
5	Oct. 3	<b>Women and Personhood</b> Chapter 5
6	Oct. 10	<b>Partial Personhood: Legal Construction of Disability</b> Chapter 6
7	Oct. 17	<b>The Legal Construction of Family</b> Chapter 8
8	Oct. 24	<b>Parenting, the Law and the State</b> Chapters 9
9	Nov. 7	<b>The Legal Construction and Justification of Property</b> Chapter 10
10	Nov. 14	<b>Rights Associated with Land</b> Chapter 11
11	Nov. 21	<b>Rights of Property and The Family</b> Chapter 12
12	Nov. 28	<b>Changing Conceptions of Property</b> Chapter 14
13	Dec. 5	<b>Review Class</b>
EXAM	Dec. 11-22	<b>FALL EXAM TO BE HELD DURING OFFICIAL DECEMBER EXAM PERIOD</b>